

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAMES BURDYCK,

Plaintiff,

v.

VETERANS ADMINISTRATION,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

No. 3:05-CV-35
(Phillips)

ORDER

By order entered January 20, 2005, the magistrate judge granted plaintiff's application for leave to proceed *in forma pauperis*. However, plaintiff failed to complete and return the summons for issuance in accordance with Rule 4, Federal Rules of Civil Procedure. A show cause order was entered March 2, 2005 directing plaintiff to show cause in writing on or before March 15, 2005, why this action should not be dismissed for failure to prosecute. Plaintiff was cautioned that failure to comply with the court's order could result in dismissal of his case. Plaintiff did not submit the required summons, but instead sent the court a rambling, incomprehensible letter asking the court to intervene in a state court matter in which the plaintiff was incarcerated. Accordingly, because plaintiff has failed to submit a summons as directed by the court, this matter is hereby **DISMISSED** for failure to prosecute.

ENTER:

s/ Thomas W. Phillips
United States District Judge